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DE RUEHBK #5881/01 3240947  
ZNR UUUUU ZZH  
O 200947Z NOV 07  
FM AMEMBASSY BANGKOK  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0759  
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS IMMEDIATE  
RUEHKO/AMEMBASSY TOKYO IMMEDIATE 0084  
RUEHBY/AMEMBASSY CANBERRA IMMEDIATE 7992  
RUEHBJ/AMEMBASSY BEIJING IMMEDIATE 5203  
RUEHUL/AMEMBASSY SEOUL IMMEDIATE 3948  
RUEHWL/AMEMBASSY WELLINGTON IMMEDIATE 1995  
RHEHNSC/NSC WASHDC IMMEDIATE  
RUEKJCS/SECDEF WASHINGTON DC IMMEDIATE  
RHEFDIA/DIA WASHDC IMMEDIATE  
RUEAIIA/CIA WASHINGTON DC IMMEDIATE  
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DEPT FOR EAP/MLS

E.O. 12958: N/A  
TAGS: [PGOV](#) [PHUM](#) [KDEM](#) [TH](#)  
SUBJECT: OATHS, INSULTS, AND RESTRICTIONS AMID THAI  
ELECTION CAMPAIGN

REF: A. BANGKOK 5740 (CANDIDATE REGISTRATION)

- [1](#)B. BANGKOK 5667 (CAMPAIGN RULES EASED)
- [1](#)C. BANGKOK 5600 (MILITARY INTERFERENCE)
- [1](#)D. BANGKOK 5578 (THAI ELECTION SEASON)
- [1](#)E. BANGKOK 5482 (ELECTION DECREE ADVANCES)

SUMMARY  
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[1](#)1. (SBU) Citing new election laws, the Election Commission of Thailand (ECT) ruled on November 16 that 111 "banned" former executives of the dissolved Thai Rak Thai party could not participate in the December 23 election campaign. The ECT later said its ruling was merely advisory, but some affected individuals vowed to legally challenge the ruling on the grounds that it violated their constitutional rights. Political parties objected to an ECT plan to number ballots that they believed would lead to voter confusion. Controversy surrounded pro-Thaksin People's Power Party (PPP) leader Samak Sundaravej after he made sexually suggestive comments regarding a female reporter and the constitution, and when he failed to attend an ECT-sponsored religious ceremony forswearing vote-buying. The press reports that an ongoing ECT investigation has confirmed some significant aspects of Samak's claim of a military plan to subvert PPP's prospects in the coming election. In a move labeled by some as "reeking of politics," former Prime Minister Thaksin Shinawatra and Bangkok's Democrat Party Governor announced competing plans to promote soccer in the Kingdom. End summary.

POLITICAL ACTIVITIES RESTRICTED  
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[1](#)2. (U) Following the May dissolution of the Thai Rak Thai (TRT) party and the five year "political ban" of its 111-member executive board, many TRT executives feared they would be banned from all political party activity, not just controlling political parties. On November 16, their fears became a reality when Election Commission of Thailand (ECT) Chairman Apichart Sukhaggonond declared that the former TRT executives, including former PM Thaksin Shinawatra, could not publicly appear with candidates for Thailand's upcoming December 23 elections, be photographed with candidates,

appear in campaign advertisements, or act as political party consultants. The ECT explained its ruling was based on October election legislation which restricted the permissible activities of executives of dissolved political parties.

¶3. (SBU) The reaction to the ruling was mixed. PPP leader Samak Sundaravej felt the ruling would not impact his party, widely considered TRT's successor, since banned politicians would continue assisting "behind the scenes." Former TRT executive member Chaturon Chaisaeng called the ECT decision a "cowardly act" that violated constitutional freedom of speech protections and announced his intention to legally challenge the ruling. Notably, even arch TRT rival Abhisit Vejjajiva, the leader of the Democrat Party, warned that the ECT had "overstepped its mark."

¶4. (SBU) Following the backlash, on November 18 two ECT commissioners clarified that the ECT ruling was merely a "recommendation," but added that parties who permit banned politicians to campaign on their behalf could be dissolved by the Constitutional Court. Banned TRT executives Surakiart Sathirathai and Suranand Vejjajiva, who had served on the Motherland Party's advisory board, resigned in order to reportedly spare the party from legal complications. On November 19, some banned TRT executives announced plans to petition the National Human Rights Commission and Amnesty International over the ECT announcement. Other banned executives announced plans to challenge the ECT ruling by leading a rally in a Bangkok park on November 23. After the controversy erupted, we contacted the ECT on November 19 to request the text of the ECT's determination; ECT officials told us they had not yet issued any written ruling on the matter.

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#### CANDIDATE REGISTRATION IGNITES CONTROVERSY

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¶5. (SBU) Under the new constitution, 400 seats in the parliament will consist of representatives from 157 electoral districts throughout the country (an additional 80 seats will be elected based on party lists). Each electoral district will contribute between one and three seats to the 480-seat House of Representatives, depending on the size of the constituency. On November 18, the ECT announced that 39 political parties and 3,894 candidates had registered to compete for these constituency seats. Some candidates, however, protested an ECT plan whereby political parties drew lots to determine the numerical placement of their candidates on the constituency ballot. Individual numbers will correspond with candidates of different political parties in each electoral district. Traditionally, ballots do not indicate the name of the party or candidate associated with each number. (For example, while in one constituency the PPP may have drawn the number "7" resulting in the ECT assigning the numbers "7", "8", and "9" on the ballot for PPP candidates, in another constituency it may have drawn the number "1" and been assigned numbers "1", "2", and "3".)

¶6. (SBU) Candidates in some parties squabbled internally over which candidate would correspond to which number on the ballot, fearing voters would only remember the first of a party's three assigned numbers. Many political parties also feared the ECT plan will confuse voters who may have to memorize as many as four numbers corresponding to their constituency and party list candidates of choice. (Note: see ref A for the ECT party list ballot procedures. End note.)

#### CANDIDATES FORSWEAR VOTE-BUYING

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¶7. (SBU) As part of its campaign to stamp-out vote-buying, which has plagued previous Thai elections, the ECT invited political party representatives to temples around the country to swear that their parties will not engage in vote-buying leading up to the December 23 elections. Eleven party

leaders gathered in Bangkok's historic Temple of the Emerald Buddha on November 15 to swear before a revered religious icon that their parties would conduct a clean election campaign. The media widely reported that pro-Thaksin PPP leader Samak Sundaravej did not participate in the ceremony. Samak claimed a competing engagement.

"WHOM DID YOU SLEEP WITH LAST NIGHT?"

18. (SBU) Samak and the PPP have faced criticism for recent events perceived by many Thais as insulting. During a November 9 press conference, Samak angrily responded to an inquiry on a possible rift within the PPP by asking a reporter, "Whom did you sleep with last night?" (Samak's point was that some matters should be considered private.) At the same press conference, Samak called the 2007 constitution "trashy" and vowed to amend it if he became the Prime Minister. On November 14, National Legislative Assembly member Prasong Sonsiri called for an investigation into the PPP after the party allegedly distributed a pamphlet whose title associated the constitution with male genitalia. The bad publicity prompted some PPP candidates on November 19 to ask Samak to "shut his mouth." A high-ranking PPP figure speaking privately to us on November 20 conceded the negative publicity Samak generated had hurt the party's prospects for the coming election, although our contact remained highly confident PPP would win a plurality by a large margin.

MILITARY DOCUMENTS CONFIRMED, WITH QUALIFICATION

19. (SBU) The ECT is close to concluding its investigation into Samak's claim that certain documents provide evidence of an effort by the military to subvert the PPP (ref C). According to press reports citing various named and unnamed sources, the investigation has confirmed that authentic documents exist which closely resemble those presented by

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Samak, but investigators have found some discrepancies between the authentic versions and Samak's versions.

FROM THE POLITICAL ARENA TO THE SOCCER FIELD

10. (SBU) In a move with possible political overtones, former PM Thaksin, the owner of the British Manchester City soccer team, announced on November 16 that his franchise will sign three Thai soccer players and open a branch of its football academy in Thailand. Not to be outdone, Bangkok governor Apirak Kosayodhin, a Democrat Party Deputy Leader, announced on November 19 that the Bangkok Metropolitan Administration would build a Thai soccer school for children with the assistance of Liverpool's Everton Football Club, Manchester City's rival in the British Premier League. Both Thaksin and Apirak denied the announcements were politically motivated. However, some media commentators have labeled the announcements as "reeking of politics." (A high-ranking PPP figure told us recently that Thaksin would organize events at the Manchester City stadium to celebrate King Bhumibol's 80th birthday, demonstrating his loyalty to the King.)

ENTWISTLE